

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CLYDE GRAY,  
Plaintiff,  
v.  
MICHAEL J. ASTRUE, Commissioner of  
Social Security  
Defendant

No. C 12-4014 MMC

**ORDER DIRECTING PLAINTIFF TO  
SHOW CAUSE WHY ACTION SHOULD  
NOT BE DISMISSED FOR FAILURE TO  
PROSECUTE**

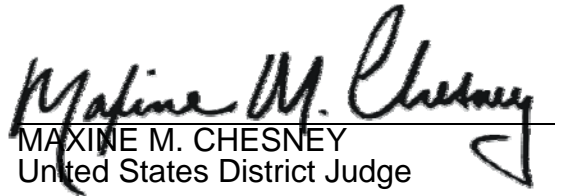
In the above-titled action, plaintiff Clyde Gray seeks judicial review of a decision of the Social Security Administration. By order filed July 31, 2012, plaintiff was directed to file a motion for summary judgment or for remand within 28 days of the service of defendant's answer. (See Procedural Order for Social Security Review Actions.) On November 13, 2012, defendant filed and served on plaintiff an answer to plaintiff's complaint. To date, plaintiff has not filed a motion for summary judgment or for remand.

Accordingly, the Court hereby DIRECTS plaintiff to show cause in writing, no later than January 22, 2013, why the instant action should not be dismissed for failure to prosecute, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. To show good cause, plaintiff must file his motion for summary judgment or remand, along with a separate statement explaining why such motion was not filed within the time required by the Court's prior order.

1 If plaintiff fails to show good cause in the manner set forth above, the Court will  
2 dismiss the action for failure to prosecute.

3 **IT IS SO ORDERED.**

4  
5 Dated: January 2, 2013

  
MAXINE M. CHESNEY  
United States District Judge